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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No.16537 of 2006
Date of Decision : Oct. 17, 2006

Satpal Gaba

... Petitioner

Versus

State Transport Appellate Tribunal, Punjab etc.

.. Respondents

CORAM : Hon`ble Mr. Justice Jasbir Singh,
Hon`ble Mr. Justice Pritam Pal.

Present : Shri Baldev Kapoor, Advocate,
for the petitioner.

JASBIR SINGH, J. (Oral)

Counsel for the petitioner states that on an objection raised by the petitioner, application for grant of Stage Carriage Permit to respondent No.3 was rejected by the Secretary, Regional Transport Authority, Ferozepur, (respondent No.2). Thereafter, respondent No.3 without impleading the petitioner, as a party, filed an appeal. The said appeal was allowed by State Transport Appellate Tribunal, Punjab, Chandigarh (for short, "the Tribunal"), vide order, Annexure P/2.

Counsel for the petitioner, by placing reliance upon a Division Bench judgment of this Court in **Pepsu Road Transport Corporation, Patiala v. Mansahia Transport Co. Pvt. Ltd., Mansa and others** (***2003-***

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3) P.L.R. 862, states that objector was a necessary party in the appeal.

We feel that the matter is squarely covered by the ratio of judgment, referred to above. In view of this, we allow the petitioner to move an application before the Tribunal, to re-call the order, referred to above. We, in view of ratio of the judgment, referred to above, permit the Tribunal to interfere in the order passed by it and thereafter decide the matter, as per law.

The writ petition is disposed of accordingly.

[JASBIR SINGH]
JUDGE

[PRITAM PAL]
JUDGE

October 17, 2006
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